

Planning Statement

Client: British Overseas Bank Nominee Ltd and WGTC Nominees Ltd

Property: Unit 4, New Hall Hey Retail Park, Rawtenstall

10 October 2018

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1 Introduction

- 1.1. This Planning Statement has been prepared by Jones Lang LaSalle (“JLL”) in support of a planning application by British Overseas Bank Nominee Limited and WGTC Nominees Limited (“The Applicant”). It relates to an application for the variation of a condition attached to planning permission reference 2014/0384.
- 1.2. The submitted application seeks to extend the range of goods that can be sold from Unit 4 of New Hall Hey Retail Park to include food and drink in order to allow Iceland to trade from the unit.
- 1.3. The purpose of this Statement is to address the relevant planning considerations and in particular, the sequential test. It considers the proposals in light of national and local planning policy and assesses the scheme in planning policy terms.
- 1.4. The application is further supported by a Transport Statement, prepared by Cameron Rose Associates. The supporting documentation required was discussed with officers at Rossendale Council (“the Council”) as part of the pre- application discussions.

2 The Application Site and Surroundings

The Application Site

- 2.1 The application site is located to the south of the A682, just west of Rawtenstall Town Centre and comprises the New Hall Hey Retail Park to the north of the East Lancashire Railway. The A682 is an important vehicular route which connects Rossendale with Burnley to the north and the M66 to the south (a northern vehicular gateway into Greater Manchester). The site is in close proximity to a range of existing retail, commercial and residential land uses.
- 2.2 The retail park was built in two phases, the first phase was granted planning permission in 2007 (Ref. 2007/0030), it is understood that the retail units were nearing completion in 2008 when the recession hit and the developer went into administration. The units were constructed in 2010 but they remained empty for a number of years given changes in the retail market and the goods restrictions in place on the units. A planning application was submitted and granted approval in 2015 to relax some of the goods restrictions imposed by conditions attached to 2007/0030. This has led to space being let to Marks and Spencer Simply Food, Pets at Home, and TK Maxx, with Unit 4 still available for lease.
- 2.3 The second phase of the retail park was originally granted consent in 2016 and following a number of alterations to the layout and goods sold, the units were constructed and opened to trade in 2017. The completed second phase of the retail park is occupied by Aldi, Home Bargains, Dominoes, Card Factory and Costa Coffee. The current marketing brochure, which includes a plan showing the completed retail park is attached at Appendix 1.
- 2.4 The submitted application seeks to vary the goods that can be sold from unit 4 within Phase 1. Unit 4 was constructed with the rest of the Phase 1 development but has never been occupied, despite being marketed for a number of years. The unit extends 745.8 sq.m (8,028 sq.ft.) and is located adjacent to the Pets at Home unit.
- 2.5 With regards the site's wider locational context; the closest defined centre is Rawtenstall Town Centre, the town centre boundary of which is some 300m east of the application site. However, the Primary Shopping Area is some 600m north-east and accordingly the application site must be classified as 'out-of-centre' in retail planning policy terms.
- 2.6 The closest residential properties to the south of the site are some 70m away on the opposite side of the East Lancashire Railway on New Hall Hey Road (Railway Terrace). Meanwhile, the closest properties to the north are also some 70m away and front Haslingden Road, with their rear elevations facing towards the site and the A682 dual carriageway in between.

The Surrounding Area

- 2.7 The site falls within an area comprising a mix of retail, leisure, commercial and residential uses. Immediately east of the site is the significant vehicular junction of the A681, A682, Bacup Road and Bury Road. Beyond this Rawtenstall Town Centre stretches to the north-east along St Mary's Way, Bacup Road, and Bank Street with a Tesco superstore and B&M Bargains store just outside the centre on Bocholt Way. It is also noted that there is a large Asda superstore outside the defined town centre on the western side of St Mary's Way. Further east, beyond the retail uses of the town centre are densely populated residential areas.

- 2.8 To the north of the application site is the A682 dual-carriageway which represents an arterial route into (and out of) Rawtenstall from the west. Beyond this the land rises steeply to Haslingden Road, which accommodates sporadic residential properties (which front this road). There appears to be robust established landscaping between the residential properties and the dual carriageway below. Further north lies parkland and additional residential properties. Immediately north east of the site on the opposite side of the A682 is a broadly elliptical parcel of vacant land. McDonalds Restaurants Ltd have recently constructed and operate a drive-through restaurant and associated car parking on this plot.
- 2.9 The length of the southern boundary of the application site is defined by a footpath which runs from New Hall Hey Road to the south-west to the junction of the A682 and Bury Road to the north-east. It then connects to existing pedestrian highway infrastructure to provide safe access (via a series of controlled crossings) to Rawtenstall Town Centre.
- 2.10 Beyond the footpath and a boundary wall is the East Lancashire Railway line and its associated station building. This represents a major tourist attraction for Rawtenstall, with the station served throughout much of the year by steam trains during weekends and many weekdays. The station building itself contains a restaurant and to the west of this is an irregularly shaped building which accommodates offices at first floor level and a redundant retail unit at ground floor level. It is understood that building formerly accommodated a foodstore but is now vacant, likely as a consequence of the building's unusual shape and limited associated car parking. Further south is New Hall Hey Road which includes a variety of residential and commercial uses.
- 2.11 Finally, to the east of the site is the second phase of New Hall Hey Retail Park, which as stated previously, opened in 2017 and is occupied by Aldi, Home Bargains, Dominoes, Card Factory and Costa Coffee.
- 2.12 In summary, the majority of the application site's surrounding uses are retail, leisure, commercial or residential in nature, reflecting the fact that it lies just west of Rawtenstall Town Centre on a significant vehicular route into the settlement. Accordingly, the principle of further economic development (retailing and a restaurant) in this location is considered to be in-keeping with the general mix of uses already apparent in the locality.

Planning History

2.13 A review of Rossendale Council’s online planning history records has identified a number of historic planning applications in relation to the site. The relevant planning permissions are set out in the table below:

Planning reference number	Description	Status
Phase 1		
2007/030	Erection of three retail units measuring 3,356sq.m, 1,412sq.m and 1,412sq.m.	Approved May 2007
2007/630	Full application for erection of building to form leisure and restaurant units and a food retail unit and outline application for the erection of a drive-through restaurant and one restaurant (amendment to 2005/617)	Resolution to grant planning permission 11 th March 2008 <i>(Section 106 not signed)</i>
2014/0384	Variation of Conditions 3, 4 and 20 (varied to widen the range of goods) that can be sold from the Retail Park. Conditions 5, 2, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21 and 22 to be removed. Conditions 3, 4 and 20 to be replaced.	Approved July 2015
Phase 2		
2016/0129	Erection of 3no. Retail Units (A1) and a Restaurant/Refreshment Unit (A1/A3/A5) with associated access, car parking, and landscaping.	Approved September 2016
2016/0544	Variation of conditions 2 (list of approved drawings), 5 (use of Unit B2 to be restricted to the sales of frozen food only), 6 (use of Unit B3 restricted to the sales of comparison goods only and to be re-named Unit B4), 7 (preliminary risk assessment), 8 (materials), 15 (construction method statement), 16 (phasing and highway plan), 18 (pedestrian/ cycle link), 20 (drainage), 21 (drainage management), 24 (Construction Environmental Management Plan) and 25 (Arboricultural Method Statement) attached to Planning Approval: 2016/0129	Approved March 2017
2017/0217	Full application for the subdivision of Unit B2 (which has planning permission for A1 use) to create two separate units for use as A1 (retail) and A5 (hot food takeaway) purposes, and associated external alterations and extraction equipment	Approved May 2017

3 The Proposed Development

- 3.1 This section sets out the detail of the changes sought to conditions attached to permission 2014/0384 in order to allow Iceland to trade from the unit.

The Existing Goods Restriction

- 3.2 Condition 5 of permission 2014/0384 controls the goods that may be sold from Phase 1 of the retail park. The condition states:

Notwithstanding the Town and Country Planning (Use Classes) Order 1987 or any order amending, revoking or re-enacting that Order, only 1,162 sq.m. of the development shall be used for food sales, excluding floorspace classed as ancillary to the main use of the unit. The area permitted for food sales is restricted to that highlighted in yellow on drawing number 9447PL07 A.

- 3.3 The level of sales that may be considered ancillary for the purposes of the second part of the condition is then defined within condition 6, which states:

Notwithstanding the Town and Country Planning (Use Classes) Order 1987 or any order amending, revoking or re-enacting that Order, floorspace classed as ancillary shall be a maximum of 15% of the total gross floorspace of each unit.

- 3.4 With regard to the application of condition 5, the plan referred to in the condition 9447PL07 A is attached at Appendix 2 and confirms that the sale of food relates to the M&S Foodhall in Unit 1.

The Proposed Use

- 3.5 As set out previously, the purpose of the submitted application is to extend the range of goods that may be sold from unit 4, which is currently vacant, in order to allow Iceland to trade from the unit.
- 3.6 Iceland intend to operate the unit as one of their standard format stores which sells mainly own-brand and branded frozen products with some ambient, chilled produce alongside a narrow selection of fresh produce. Furthermore, the retail offer also includes “big produce packs”, which enables customers to buy certain products in bulk, such as 5kg sacks of pet food and 10 litre bottles of cooking oil.
- 3.7 With regard to the comparison retail offer, this comprises a limited range of goods, the availability of which is generally restricted. This element of the offer typically comprises no more than 10% of floorspace.

The Proposed Condition

- 3.8 It is considered that there are a number of weaknesses in the drafting of the current condition which could lead to uncertainty over how the condition should be enforced. This application provides the opportunity to address this and provide a clear and precise condition. It is considered that the condition should give greater clarity on the sale of comparison goods. While the description of development clearly states that all floorspace can be used for the sale of all goods (including convenience goods), this is not reflected within the condition.
- 3.9 Furthermore, the condition refers to the sale of food, but as worded, does not permit the sale of any other convenience goods such as drink, tobacco, newspapers & magazines, and household cleaning materials. It is considered that the condition should be amended to reflect this and permit the sale of convenience goods.

3.10 Given the above, it is proposed that condition 5 be varied as follows:

Notwithstanding the Town and Country Planning (Use Classes) Order 1987 or any order amending, revoking or re-enacting that Order, the floorspace hereby approved may be used for the sale of comparison goods. Additionally, up to 1,908 sq.m. may be used for the sale of convenience goods, excluding floorspace classed as ancillary to the main use of the unit.

4 Planning Policy Context

- 4.1 This section sets out the relevant local and national planning policy context against which the proposed development should be assessed.

The Development Plan

- 4.2 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, decisions should be made in accordance with the Development Plan, unless material considerations indicate otherwise.
- 4.3 The adopted Development Plan for the area includes:
- i. The Rossendale Core Strategy (2011); and
 - ii. The saved policies of the Rossendale Local Plan (1995).

Rossendale Core Strategy 2011

- 4.4 The relevant saved policies of the Rossendale Core Strategy are set out below.
- 4.5 **Policy AVP4** ('Strategy for Rawtenstall, Crawshawbooth, Goodshaw and Loveclough') sets out how the Council's vision for these settlements within Rossendale will be achieved. With regards retailing; priorities include:
- The redevelopment of the Valley Centre as a mixed-use project that will complement its conservation Area setting, enhance Rawtenstall's townscape and provide accessible, attractive new streets and spaces for all users, particularly pedestrians;
 - Pedestrian links to Rawtenstall Railway Station from the town centre will be made direct and attractive. Station facilities, including parking, will be enhanced to a standard suitable for commuter use;
 - The diversity of small shops in Rawtenstall will be retained and enhanced and the potential of the market maximised; and Rawtenstall, with ancillary local retail in the other centres. Rawtenstall will also be the focus for medium and large-scale retail and leisure development in the Borough. Finally, the policy highlights that new convenience retail floorspace of greater than 200sqm will be resisted outside existing centres unless:
 - Under the sequential test a more appropriate site cannot be identified, or
 - It forms part of a wider Council endorsed regeneration scheme, and the proposal will improve consumer choice and diversify employment opportunities, or other agreed benefits; and,
 - It can be demonstrated to the Council's satisfaction that it will not have an unacceptable adverse impact on the vitality and viability of other centres.
- 4.6 **Policy 11** (Retail and other Town Centre Uses) relates to all retail development and seeks to direct new floorspace to defined centres. The Policy identifies the hierarchy of centres in the Borough and seeks to direct the largest proposals to Rawtenstall, the main Town Centre in the Borough.
- 4.7 The policy also seeks to resist convenience retail development over 200 sq.m. outside the defined primary shopping areas unless it can be demonstrated that:

- under the sequential test a more appropriate site cannot be identified, or
 - it forms part of a wider Council endorsed regeneration scheme, and the proposal will improve consumer choice and diversify employment opportunities, or other agreed benefits, and
 - it can be demonstrated to the Council's satisfaction that it will not have an unacceptable adverse impact on the vitality and viability of other centres.
- 4.8 Finally, the policy confirms that all retail developments are expected to be supported by retail impact assessments where above the identified floorspace thresholds. For developments in Rawtenstall, the threshold is 750 sq.m.
- 4.9 **Policy 12** ('The Valley Centre, Rawtenstall') relates specifically to the redevelopment of this former precinct in Rawtenstall Town Centre. It confirms that a high-quality masterplan-led design approach is to be developed and will include the following elements:
- A focal point for retailers with other supporting other uses appropriate to a town centre;
 - Design which responds to the existing townscape in concept, layout and design detailing and enhances Rawtenstall's urban grain;
 - Street masterplanning and design which provides active frontages; and,
 - A mix of uses that encourages natural surveillance and a safe street environment.
- 4.10 There are no saved policies of relevance to this application within the Rossendale Local Plan 1995.

National Planning Policy Framework

- 4.11 The NPPF articulates the priorities of the Plan for Growth within planning policy. The NPPF introduces a 'presumption' in favour of sustainable development and supports proposals that are in accordance with policies in an up to date Development Plan. Sustainable development is about positive growth – making economic, environmental and social progress for this and future generations.
- 4.12 Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to):
- making it easier for jobs to be created in cities, towns and villages;
 - moving from a net loss of bio-diversity to achieving net gains for nature;
 - replacing poor design with better design;
 - improving the conditions in which people live, work, travel and take leisure; and, widening the choice of high quality homes.
- 4.13 The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore, significant weight should be placed on the need to support economic growth through the planning system.
- 4.14 The NPPF also places emphasis on the importance of pre-application engagement with the Local Planning Authority and local community, which will help to resolve any issues and deliver more positive outcomes.

4.15 The NPPF sets out (paragraph 7) that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 explains that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- **‘an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and
- **an environmental objective** - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

4.16 Paragraph 9 acknowledges that these objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

4.17 Paragraph 11 explains that at the heart of the NPPF is the presumption in favour of sustainable development and goes on to explain how the presumption in favour of sustainable development is to be applied:

‘For **decision-taking** this means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no development plan policies, or the policies which are the most important for determining the application are out-of date, granting permission unless: is absent, silent or relevant policies are out-of-date, granting permission unless:
- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁶; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- Paragraph 15 of the NPPF is unequivocal that: ‘...development which is sustainable should be approved without delay.’

Building a strong, competitive economy

4.18 Section 6 (Paragraphs 80 to 84) is entitled ‘building a strong, competitive economy’. It emphasises the Government’s commitment to securing economic growth, and that significant weight should be placed on the need to support it through the planning system. In particular, it sets out that:

‘planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.’

Ensuring the vitality of town centres

4.19 Paragraph 85 advises that planning decisions should support the role that town centre can play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.

4.20 Paragraph 86 of the NPPF sets out the sequential, town centre first approach to identifying sites for new main town centre uses. The paragraph also identifies that only where there are no sequentially preferable sites that are suitable and would become available within a reasonable period should permission be granted for out of centre development. Paragraph 87 of the NPPF sets out that when considering development proposals, applicants should demonstrate flexibility on issues such as scale and format to ensure that opportunities to utilise town centre sites are fully explored.

4.21 Paragraph 89 sets out the Government’s policy for assessing the impact of new development of main town centre uses. Where the development is outside a defined centre and not in accordance with an up-to-date Development Plan, applicants must prepare an impact assessment if the development is over a locally set threshold (such as that set out in Policy 11). Where no local threshold is set by the Development Plan, the default national threshold of 2,500 sq.m. should apply. The assessment of impact should consider:

- The impact of the proposal on existing, committed and planned public and private investment in nearby centres; and
- The impact of the proposal on town centre vitality and viability.

Promoting Sustainable Transport

4.22 Chapter 9 of the NPPF deals with the promotion of sustainable transport. Paragraph 103 sets out that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. Paragraph 109 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Making Effective Use of Land

4.23 Chapter 11 of the NPPF promotes the effective use of land. Paragraph 121 states that Local planning authorities should take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs.

5 Planning Appraisal

- 5.1 The purpose of this section is to assess the application proposals in the context of planning policy and guidance at the national and local level.

The Principle of the Development

- 5.2 Given that the scheme is proposed on accessible, brownfield land which is set well within the urban boundary and would result in its favourable regeneration to provide appropriately scaled economic development which would create a range of local employment opportunities, it is considered that the proposals are supported by many of the overarching objectives of the Rossendale Core Strategy.
- 5.3 This includes; aspects of Area Vision Policy 4 (Rawtenstall) concerning New Hall Hey's regeneration; Topic Planning Policy 1 (General Objectives), given the reuse of a vacant brownfield site; Policy 6 (Training and Skills), given the significant number of jobs that will be created; and Policy 7 (Social Infrastructure), given the accessible retail offer which will be provided.
- 5.4 The principle of development is also supported by the economic policies of the NPPF, which confirm (Paragraph 80) that 'significant weight' should be placed on the need to support economic growth through the planning system. The contribution which these proposals will make to the local and wider economy should therefore be accorded substantial weight in the determination process.

Local Town Centre Policies

- 5.5 Policy 11 of the Rossendale Core Strategy sets out criteria against which retail proposals in out-of-centre locations within Rawtenstall will be assessed (such as the application site). Whilst the subsequent sections of this Statement demonstrate in detail that the scheme is compliant with the sequential and impact tests of the NPPF, we set out below a response to the criteria established by the local retail policy tests for completeness:

Under the sequential test a more appropriate site cannot be identified

- 5.6 The subsequent section of this report demonstrates that there is no suitable and available alternative site within Rawtenstall which could accommodate the scale and form of retail floorspace for which planning permission is sought. Accordingly, compliance can be demonstrated with the sequential approach to site selection as required by this part of Policy 11 of the Core Strategy.

It forms part of a wider Council endorsed regeneration scheme, and the proposal will improve consumer choice and diversify employment opportunities, or other agreed benefits.

- 5.7 The provision of economic development (including retail) on the New Hall Hey site does represent a Council endorsed regeneration scheme as referenced at Page 51 of the Core Strategy, where the site is identified as one of three target sites for redevelopment in Rawtenstall. This application will ensure the entire come forward into active economic use.
- 5.8 In terms of benefits for local consumers and the wider economy these are set out below:

- The scheme will enhance consumer choice in the area's convenience retail sectors via the provision of Rawtenstall's first Iceland foodstore;

- It will create in the order of some 20 full and part-time jobs across the site; delivering further indirect jobs through services supporting the new store. The vast majority of positions will be made available to local people where possible; and
- It will result in the occupation of a longstanding vacant site which does not contribute to the local economy, to complete the high-quality retail scheme on a prominent site at an important gateway into Rawtenstall from the west;

It can be demonstrated to the Council's satisfaction that it will not have an unacceptable adverse impact on the vitality and viability of other centres

- 5.9 A site visit to Rawtenstall town centre was undertaken in August 2018 which indicated that the town centre is currently in good health. The Primary Shopping Area (PSA) within the centre, focused on Bank Street, has a low level of vacancies; of the 69 units within the PSA, just 2 stood vacant, a 2.9% vacancy rate. There are some vacancies within the secondary frontages which lie outside the defined PSA. Of the additional 8 vacancies, one is a former pub and four are long term vacancies on Bacup Road, which appear to be in a poor state of repair.
- 5.10 The overall quality of the offer within Rawtenstall town centre is high, with units along Bank Street predominantly occupied by high quality independent retailers and operators. These positive indicators were reflected in the generally high levels of footfall observed within Rawtenstall, particularly along Bank Street which was lively and well used by shoppers.
- 5.11 The town centre environment within Rawtenstall, particularly the PSA is of high a quality. Attractive, traditional stone shop units are complimented by good quality, wide stone pavements and a cobbled road. Along with the quality of overall provision with in the centre, this provides shoppers with an attractive shopping environment.
- 5.12 In addition to this, the town centre is also the benefitting from a Local Authority led investment scheme within centre. The Spinning Point development replaces the old shopping precinct on the junction of Bank Street and Kay Street, which was demolished some years ago. The development, for which construction has started, will provide the town with a £15m mixed-use development which includes a new bus station, retail, leisure and commercial development. The second phase of the scheme, which includes the retail, leisure and commercial floorspace is due for completion in 2020.
- 5.13 As the retail unit in question (746 sq.m) falls below the threshold for an impact assessment within Policy 11 (750 sq.m), a full retail impact assessment is not required. However, consideration is given to the issue in light of the overall health of Rawtenstall and the investment scheme at Spinning Point.
- 5.14 At the outset it should be noted that consent for up to 929 sq.m. of frozen convenience goods floorspace, in addition to the Aldi unit was previously approved as part of the phase 2 of New Hall Hey (ref: 2016/0129). This was originally intended for occupation by Iceland. However, the scheme was amended and ultimately only 334 sq.m was consented for A1 convenience goods sales following amendments to the scheme (ref: 2016/0544 and 2017/0217). Accordingly, there is a clear, recent precedent for additional convince retail floorspace within the New Hall Hey scheme. Indeed, there is only around 150 sq.m of floorspace proposed over that previously consented on the site for Iceland.
- 5.15 It was accepted by the Council previously and it remains the case that Iceland won't compete directly with existing retailers in town centre. There is a clear qualitative difference between the existing high-quality convenience shops, which are mainly high quality independent retailers and the proposed Iceland store. Indeed, these differences have enabled the retails to continue to thrive alongside the larger supermarkets on

the edge of Rawtenstall, including Asda, Lidl, Aldi and M&S Foodhall. Accordingly, it is considered that the Iceland offer is sufficiently different from existing convenience retail within Rawtenstall town centre to ensure that no significantly adverse impacts will arise as a result of the development going ahead.

- 5.16 It is considered that given the type of retail unit in question and the type of retailer proposed, the submitted application will not result in a scheme that would compete with the Council's investment proposals at Spinning Point. Importantly, the scheme are qualitatively different; Spinning Point proposed a number of smaller, flexible units tailored to independent shops, cafes and restaurants whereas the retail units on New Hall Hey retail park provide the large, simple floorplates sought by national bulk convenience retailers such as Iceland. Accordingly, it is considered that the submitted application will not have an impact upon the investment in Rawtenstall Town Centre.

Conclusion

- 5.17 Having regard to the above, it is concluded that the proposed development accords with the policies set out in the Development Plan. The proposed use of the unit accords with wider regeneration objectives, will not have an adverse effect on the town centre or on identified investment projects and there are no more central sites on which the development could be accommodated.

6 The Sequential Test

Introduction

- 6.1 Both Policy 11 ('Retail and Other Town Centre Uses') of the Rossendale Core Strategy and Paragraph 24 of the NPPF requires that the sequential approach to site selection is applied to all retail development proposals on sites that are not 'in' an existing centre nor allocated in an up-to-date development plan. In this instance the application site is more than 300m from the PSA within the closest defined centre (Rawtenstall Town Centre). Accordingly, the application site must be classified as an 'out-of-centre' retail development opportunity in retail policy terms and it is therefore necessary to assess other 'in' or 'edge-of-centre' alternatives.
- 6.2 Given the nature of the relationship of the existing retail park with Rawtenstall Town Centre and the policy direction to promote larger retail development in Rawtenstall ahead of other towns in the Borough, the sequential test has focused upon sites in and on the edge of Rawtenstall Town Centre.
- 6.3 Paragraph 86 of the NPPF sets out the sequential, town centre first approach to identifying sites for new main town centre uses. The paragraph also identifies that only where there are no sequentially preferable sites that are suitable and would become available within a reasonable period should permission be granted for out of centre development. Paragraph 87 of the NPPF sets out that when considering development proposals, applicants should demonstrate flexibility on issues such as scale and format to ensure that opportunities to utilise town centre sites are fully explored.
- 6.4 The approach to the sequential test and the consideration of flexibility has been established through a number of court cases and appeal decisions, most recently, in the Secretary of State's (SoS) call-in decision at Cribbs Causeway in Bristol (ref: APP/P0119/V/17/3170627).
- 6.5 One of the key over-arching principles of the application of the test is that what should be considered reasonable and appropriate will depend on the circumstances of the of the sequential site and the proposals that it is being expected to accommodate (SoS 19 and IR 571).
- 6.6 With regard to availability, it is relevant that the unit in question is already constructed and vacant and can be made operational within a modest period following fit-out of the building. Accordingly, it is considered that in this case, only sites which are currently available or are known to becoming available within the short term can be considered to be available for the purposes of the test.
- 6.7 With regard to whether a site can be considered suitable after having the appropriate regard to the requirement for a flexible approach, the approach that has been favoured in recent decisions and endorsed in the Cribbs Causeway decision is that site should be capable of accommodating a quantum and type of development that is "broadly similar" to that being proposed.
- 6.8 In this case, it is relevant to consider the overall size of the retail unit (746 sq.m.), the large, simple and single storey floorplate as well as the convenient provision of customer car parking which is seen as important for large foodstore developments. In that regard it is considered that the following elements should be achievable for a sequential site to be considered capable of accommodating a broadly similar form of development:
- Capable of providing at least 650 sq.m. of floorspace;

- Capable of accommodating at least the sales floor area (circa 550 sq.m based on 650 sq.m GIA.) at ground floor level, allowing for storage facilities at a separate level;
- Is capable of accommodating a broadly regular floorplate; and
- Is served by customer car parking or has car parking within a short walk of the store.

Sites within Rawtenstall Primary Shopping Area

Vacant Units

- 6.9 As set out in the previous section, a site visit to Rawtenstall town centre was carried out in August 2018. That survey revealed that only two units within the PSA were vacant. The plan shows that the vacant units are small, traditional shop units the largest of which is 160 sq.m. which does not come close to providing the 650 sq.m. of floorspace identified above. Accordingly, neither of the vacant town centre units are suitable as they cannot accommodate a form of development that is broadly similar to that proposed by this application.

Former Valley Centre

- 6.10 The former Valley Centre site within Rawtenstall town centre is approximately 1.4 ha and could, in theory accommodate a retail unit of the size proposed if it were considered as a development site. However, the site is being redeveloped as Spinning Point by the Council. Construction works have commenced on Phase 1 which will deliver a new bus station. This phase is due to complete in 2019 with the second phase of retail, leisure and commercial floorspace due for completion in 2020. These timescales are clearly not compatible with the short-term availability of the application site and is therefore considered to be not available.
- 6.11 In any event, the retail floorspace included within Phase 1 of the development scheme is only a small fraction of that at the application site. The retail floorspace within Phase 1 will be provided over a number of smaller units and even if these were capable of being combined into a single unit would only deliver around 200 sq.m., less than one third of the floorspace proposed. Therefore, once complete, Phase 1 of Spinning Point would not be suitable for the proposed development.
- 6.12 Having regard to the above, it is concluded that there are no available or suitable sequentially preferable sites in Rawtenstall PSA.

Sites within the wider Rawtenstall Town Centre

Rawtenstall Market

- 6.13 At less than half the size (0.3ha) of site required to accommodate a broadly similar scale and form of development proposed Rawtenstall Market is evidently an unsuitably small alternative and can be discounted on this basis. It is also considered that the loss of a significant community asset such as a market to make way for a retail warehouse unit would not be acceptable in planning terms.
- 6.14 In addition, the market is in active use and appears to be well utilised. It cannot therefore be regarded as 'available' for redevelopment within a timescale commensurate with that of the applicant's proposal at New Hall Hey and can also be discounted on this basis.

Phipps Car Park

- 6.15 Located on Hall St, this 0.3ha site provides less than one half of the land required to accommodate a broadly similar scale and form of development proposed and must therefore be dismissed on suitability grounds given its insufficient size. Furthermore, the land is currently a well utilised car park and its loss would likely be resisted by the Local Planning Authority given the detrimental effect that this would have on the performance of the town centre as a whole.
- 6.16 In terms of availability, this town centre car park is well used and plays an important role in serving existing local businesses. It is therefore unlikely to be released by the Council for redevelopment. Furthermore, there is no evidence that the land is for sale either now or in the foreseeable future. In conclusion, the site is neither suitable nor available and is not therefore a sequentially preferable alternative to the application site.

Kay Street Car Park

- 6.17 This 0.27ha plot of land is currently a well utilised town centre car park and its loss would likely be resisted by the Local Planning Authority given the detrimental effect that this would have on the performance of surrounding 'in-centre' businesses. Indeed, that it was not included within the adjacent Spinning Point development indicates the importance of retaining town centre car parking.
- 6.18 In addition, it provides less than one half of the land required to accommodate a broadly similar scale and form of development proposed and must therefore be dismissed on the basis of its insufficient size. Finally, the site's irregular shape and lack of prominence behind an existing terrace of small retail units means that the site would not represent a commercially viable location for significant new retail development. In particular, the existing units limit connectivity with surrounding in centre businesses.
- 6.19 In terms of its availability, the site is in an active use as a town centre car park and is well frequented. As the car park plays an important role in supporting trade in Rawtenstall Town Centre it is very unlikely to be made available for redevelopment in a period consistent with that of the New Hall Hey scheme's timescales. Furthermore, it appears that various surrounding uses benefit from vehicular accesses through the car park, in particular Rawtenstall Cricket Club. Maintenance of access rights may mean that the land is not available to deliver a workable development given the need to continue to provide an unobstructed vehicular route from Kay Street.
- 6.20 In summary, for the reasons set out above, the site is neither suitable nor available and is not therefore a sequentially preferable alternative to the application site.

Sequential Test Conclusions

- 6.21 Having regard to the above, it is concluded that there are no sequentially preferable sites that are available or would likely become available within a reasonable period and that can suitably accommodate a broadly similar scale and format of development to that proposed by this application. As such, it is concluded that the application satisfies the sequential test and complies with Policy 11 of the Rossendale Core Strategy and paragraph 87 of the NPPF.

7 Conclusions

- 7.1 The submitted planning application seeks permission to vary the restriction on the range of goods that can be sold from Unit 4, New Hall Hey retail park to permit the sale of convenience goods to allow Iceland to trade from the unit.
- 7.2 Since construction in 2010, the unit has stood vacant, never having been occupied. The landowner has reached an agreement with Iceland for the occupation of the unit and therefore requires permission to vary the current goods restriction to allow the unit to be brought into active economic use for the first time.
- 7.3 The occupation of the unit will create around 20 new jobs for the local economy and will provide local residents with an increase in consumer choice by bringing a new retailer with a different and complimentary offer to the local market.
- 7.4 In assessing the proposed development against the Development Plan, it is concluded that:
- The application makes effective use of previously developed land;
 - The proposed use will create new jobs for the local economy;
 - The site is located within an identified regeneration site in Rawtenstall;
 - The proposed use will not have an adverse impact on the vitality and viability of Rawtenstall town centre;
 - The proposed use will not impact on ongoing investment initiatives in Rawtenstall town centre; and
 - There are no sequentially preferable sites that would become available within a reasonable period and can suitably accommodate a broadly similar form of development to that proposed.
- 7.5 Having regard to the above, it is concluded that the proposed development accords with the policies of the development plan and with national planning policy. Accordingly, it is considered that the proposed development will have a positive impact on Rawtenstall and should be granted planning permission.

Appendix 1 - Site Marketing Details

TO LET
8,027 sq ft
Last Remaining
Unit

New Hall Hey Retail Park • Rawtenstall • BB4 6HR

Phase I: M&S FOODHALL TKmaxx pets at home Phase II: ALDI home bargains COSTA Card Factory Domino's



CHEETHAM & MORTIMER.

CSO CURSON
SOWERBY
WITH STAUNTON WHITEMAN

Key Facts

Location

New Hall Hey Retail Park occupies a strong and very prominent trading position approximately 700m south of Rawtenstall town centre and immediately adjacent to the A682 bypass, which provides direct access (via the A56 dual carriageway) to the M66 motorway, approximately 3.2 km (2 miles) to the south.

Demographics

10 minute drive time population – 30,501

15 minute drive time population – 90,018.



Key Facts

Description

The property forms part of a purpose built retail warehouse park, providing a total gross internal floor area of approximately 7,438 sq m (80,060 sq ft) in nine, well configured trading units, together with a dedicated 388 space car park.

The available unit benefits from planning consent for the installation of a trading mezzanine floor.

Phase I occupiers are M&S Foodhall, TK Maxx and Pets at Home who are all now opened for trade, leaving Unit 4 available.

Phase II has recently been completed with occupiers being; Aldi, Home Bargains, Costa, Card Factory and Domino's.

Unit 4 - Available

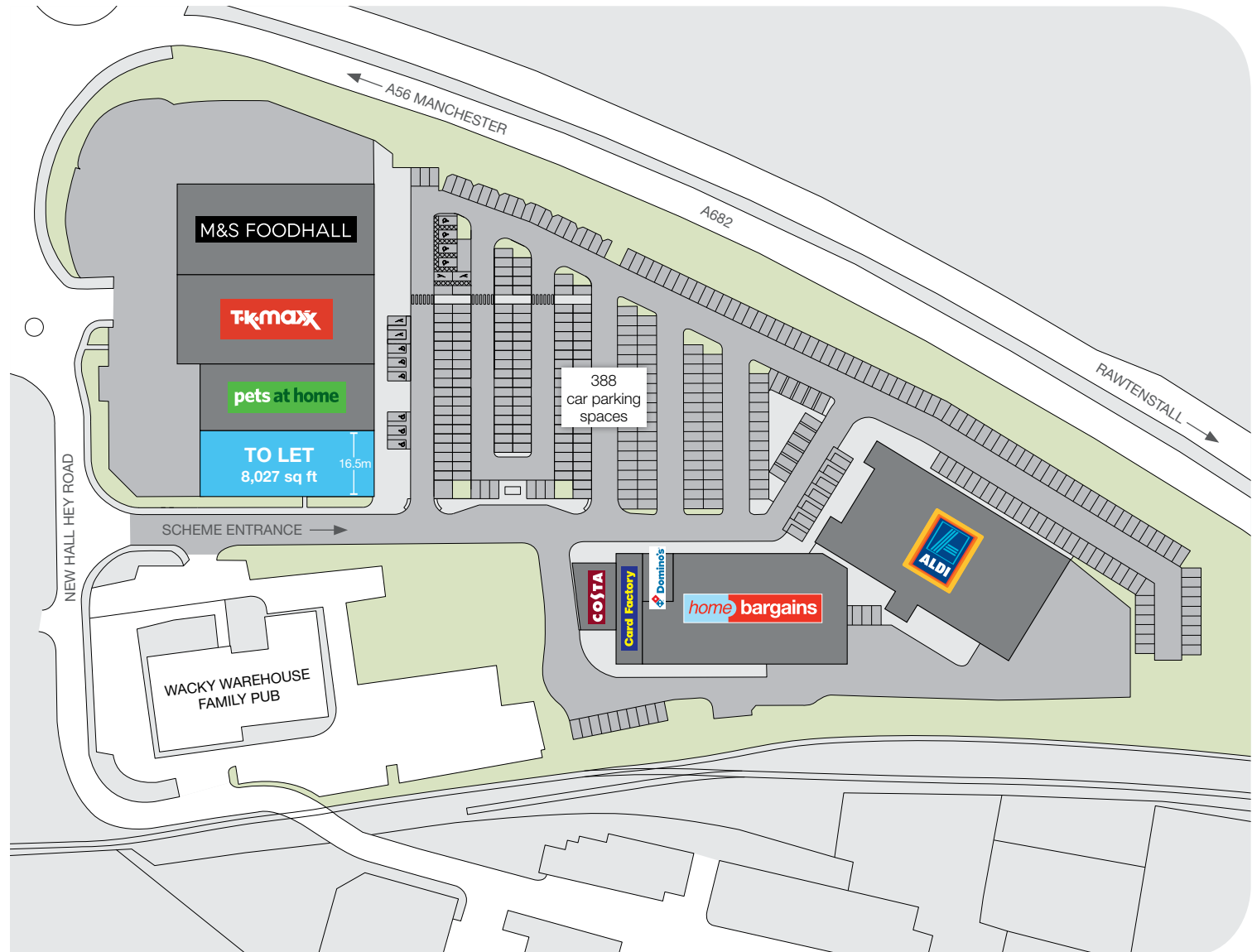
8,027 sq ft / 745.73 sq m.

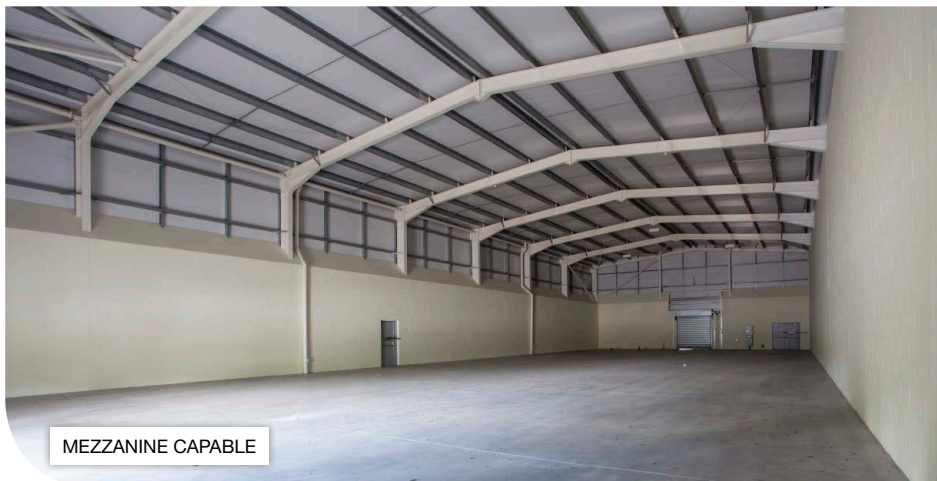
Planning

Open A1 (Non-food) planning consent. Consent for the installation of a mezzanine floor.

Parking Spaces

388 car parking spaces.





MEZZANINE CAPABLE



New Hall Hey Retail Park • Rawtenstall • BB4 6HR

Lease Terms

The property is available by way of a new effective full repairing lease for a minimum 10 year term.

Rent

Upon Application.

Ownership

Kames Capital.



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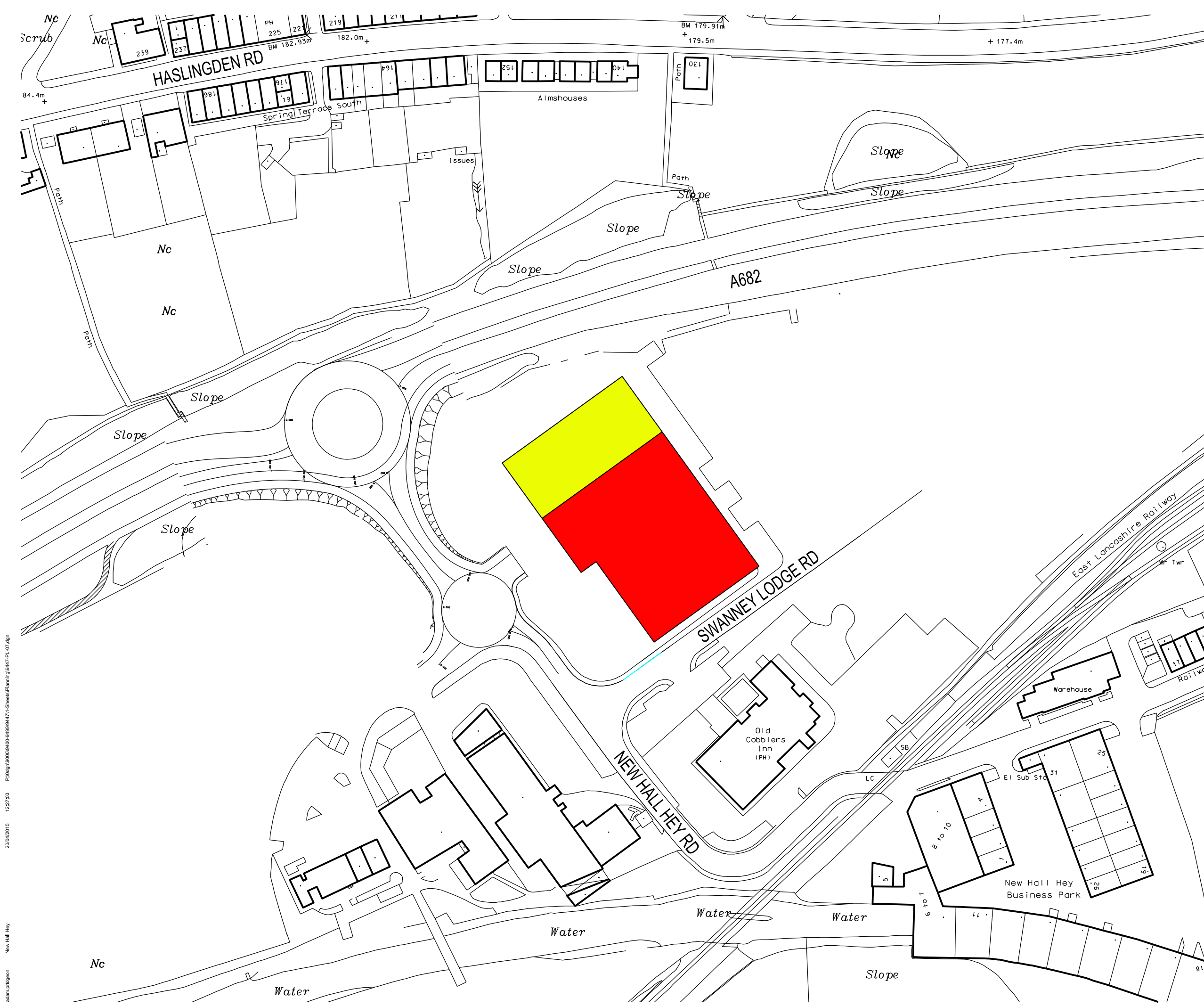


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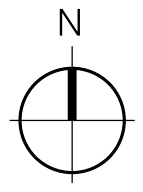
Appendix 2 – Condition 5 Plan



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SITE SPECIFIC HAZARDS

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REV.A 20.04.15	YELLOW TONE ADDED TO UNIT A1a	AJP
REV. DATE	NOTES	INIT.

CLIENT / PROJECT
BARNFIELD CONSTRUCTION LTD
NEW HALL HEY
RAWTENSTALL

DRAWING TITLE
USE OF FLOORSPACE PLAN



STATUS
PLANNING

DATE	DRAWN	SCALE @ A3
13.11.14	AJP	1:1250

PROJECT NUMBER	UNIT / BLOCK	CI / SFB CODE	TYPE & NUMBER	REVISION LETTER

DRAWING NO.
9447 **PL** **07** **A**

Site Location Plans	L	GA Plans	P	Elevations	E
Sections	S	Details	D	Prefix Colour	C

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**VARIATION OF CONDITION APPLICATION – NEW HALL HEY RETAIL
PARK, RAWTENSTALL**

TRANSPORT STATEMENT

PREPARED ON BEHALF OF:

**BRITISH OVERSEAS BANK NOMINEE LIMITED AND WGTC NOMINEES
LIMITED**



10 King Street
Newcastle under Lyme
ST5 1EL

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4-1	PA 2014/0384 TRIP RATES
4-2	NET INCREASE IN TRIP ATTRACTION

APPENDICES

A	SITE PLAN
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1.0 INTRODUCTION

1.1 Background

- 1.1.1 This Transport Statement has been prepared by Cameron Rose Associates on behalf of British Overseas Bank Nominee Limited and WGTC Nominees Limited, in order to examine the highway and transportation issues associated with the proposal to vary a planning condition on a vacant unit at New Hall Hey Retail Park.
- 1.1.2 The retail park is bounded to the north by the A682, to the east and south by the East Lancashire Railway and to the west by New Hall Hey Road.
- 1.1.3 The development proposals include varying a condition on the vacant unit – Unit 4, adjacent to Pets at Home, which prevents the sale of food from the unit. The unit has a Gross External Area of 746 sqm,
- 1.1.4 This Transport Statement has been prepared to support the planning application for the proposed development and includes an analysis of the existing transport provision within the vicinity of the site and future demands associated with the application proposals.
- 1.1.5 This report concludes that the proposed development can be accommodated without detriment to the operational capacity or safety of the local highway network and that it can be readily accessed by sustainable modes.

1.2 Planning History

- 1.2.1 The site benefits from a number of historic planning permissions. The most relevant to this application are as follows:

Phase 1

- Planning Permission 2007/030 (Approved May 2007): Erection of three retail units measuring 3,356 sqm, 1,412 sqm and 1,412 sqm;

- Planning Permission 2007/630 (Resolution to grant planning permission 11th March 2008 (Section 106 not signed)): Full application for erection of building to form leisure and restaurant units and a food retail unit and outline application for the erection of a drive-through restaurant and one restaurant (amendment to 2005/617);
- Planning Permission 2014/0384 (Approved July 2015): Variation of Conditions 3, 4 and 20 (varied to widen the range of goods) that can be sold from the Retail Park. Conditions 5, 2, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21 and 22 to be removed. Conditions 3, 4 and 20 to be replaced.

Phase 2

- Planning Permission 2016/0129 (Approved September 2016): Erection of three Retail Units (A1) and a Restaurant/Refreshment Unit (A1/A3/A5) with associated access, car parking and landscaping;
- Planning Permission 2016/0544 (Approved March 2017): Variation of conditions 2 (list of approved drawings), 5 (use of Unit B2 to be restricted to the sales of frozen food only), 6 (use of Unit B3 restricted to the sales of comparison goods only and to be re-named Unit B4), 7 (preliminary risk assessment), 8 (materials), 15 (construction method statement), 16 (phasing and highway plan), 18 (pedestrian/ cycle link), 20 (drainage), 21 (drainage management), 24 (Construction Environmental Management Plan) and 25 (Arboricultural Method Statement) attached to Planning Approval: 2016/0129
- Planning Permission 2017/0217 (Approved May 2017): Full application for the subdivision of Unit B2 (which has planning permission for A1 use) to create two separate units for use as A1 (retail) and A5 (hot food takeaway) purposes, and associated external alterations and extraction equipment

1.3 Structure

1.3.1 The structure of the report herein is set out as follows:

- **Section 2.0** considers the location of the development site, the local highway network and the existing infrastructure provision for sustainable modes of transport;
- **Section 3.0** sets out the details of the development proposals, site access, parking provision and servicing arrangements;
- **Section 4.0** deals with the potential trip attraction of the proposed development and compares this to the extant use of the site;
- **Section 5.0** provides a summary and conclusion to the report derived from the analysis presented in the above chapters.

1.3.2 The report has been prepared solely in connection with the proposed development as stated above. As such, no responsibility is accepted to any third party for all or any part of this report, or in connection with any other development

2.0 THE DEVELOPMENT SITE

2.1 Site Location and Surrounding Area

2.1.1 The retail park is bounded to the north by the A682, to the east and south by the East Lancashire Railway and to the west by New Hall Hey Road. The location of the site in relation to the local highway network is illustrated in **Figure 2-1**.

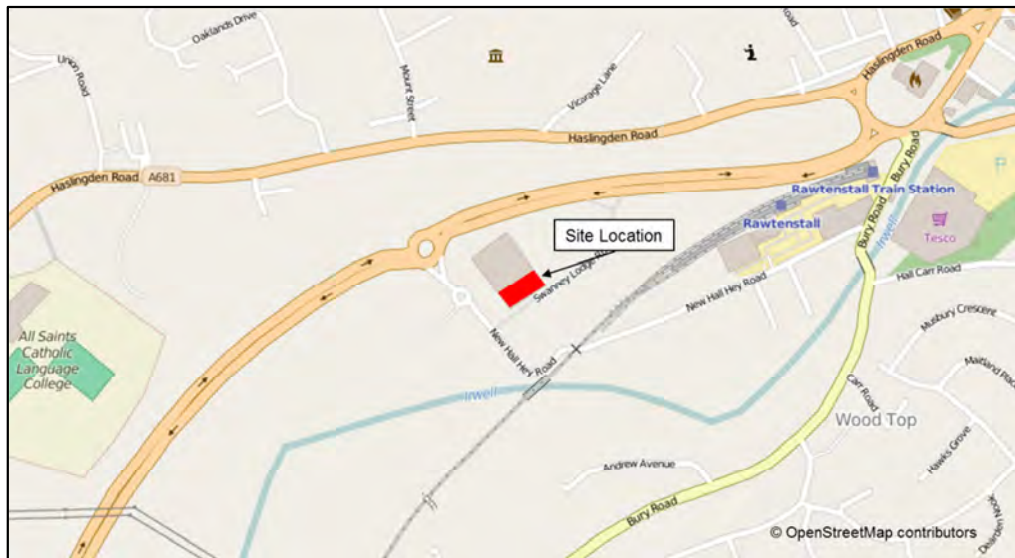


Figure 2-1: Site Location

2.1.2 The site is directly served by New Hall Hey Road which is a single carriageway road, with one lane in each direction. New Hall Hey Road is approximately 7.2 metres in width in the vicinity of the site and is subject to a 30 mph speed limit. Street lighting is provided along the length of New Hall Hey Road. New Hall Hey Road connects to the north-west to the A682 and to Bury Road to the north-east, providing a link through the New Hall Hey Business Park.

2.1.3 New Hall Hey Road connects to the A682 via a three arm priority controlled roundabout junction. In the vicinity of the site the A682 is a dual carriageway, with two lanes in each direction and is subject to a 40 mph speed limit. The A682 provides local links to the east and strategic links to the west. The local links to the east provide a route into Rossendale town centre. The strategic links to the west connect to the M65 to the north and the M66 to the south, via the A56.

- 2.1.4 Approximately 250 metres west of the junction with New Hall Hey Road, the speed limit of the A682 increases to 50 mph. The A682 becomes a single carriageway approximately 500 metres after the speed limit change and remains so until it merges with the A56.
- 2.1.5 New Hall Hey Road connect to Bury Road via a priority controlled T-junction, with New Hall Hey Road forming the minor arm. Bury Road is a single carriageway, with one lane in each direction. Bury Road has a width of approximately 9.0 metres and is subject to a 30 mph speed limit. Street lighting is provided along its length.
- 2.1.6 A level crossing is present on New Hall Hey Road to the south of the proposed development site. This provides an at grade barrier controlled vehicle crossover of the East Lancashire Railway.

2.2 Accessibility by Sustainable Modes

- 2.2.1 This section provides an appraisal of the existing sustainable transport networks surrounding the proposed site, with due regard to the following:
- walking and cycling network; and
 - public transport network.

Walking

- 2.2.2 The Institute of Highways and Transportation (IHT) document entitled 'Guidelines for Providing for Journeys on Foot' indicates two kilometres as a 'preferred maximum distance' for commuting and sightseeing journeys'.
- 2.2.3 **Figure 2-2** shows the two kilometre distance from the retail park. This provides an illustrative indication of the areas that can be reached within a leisurely walk of the retail park.

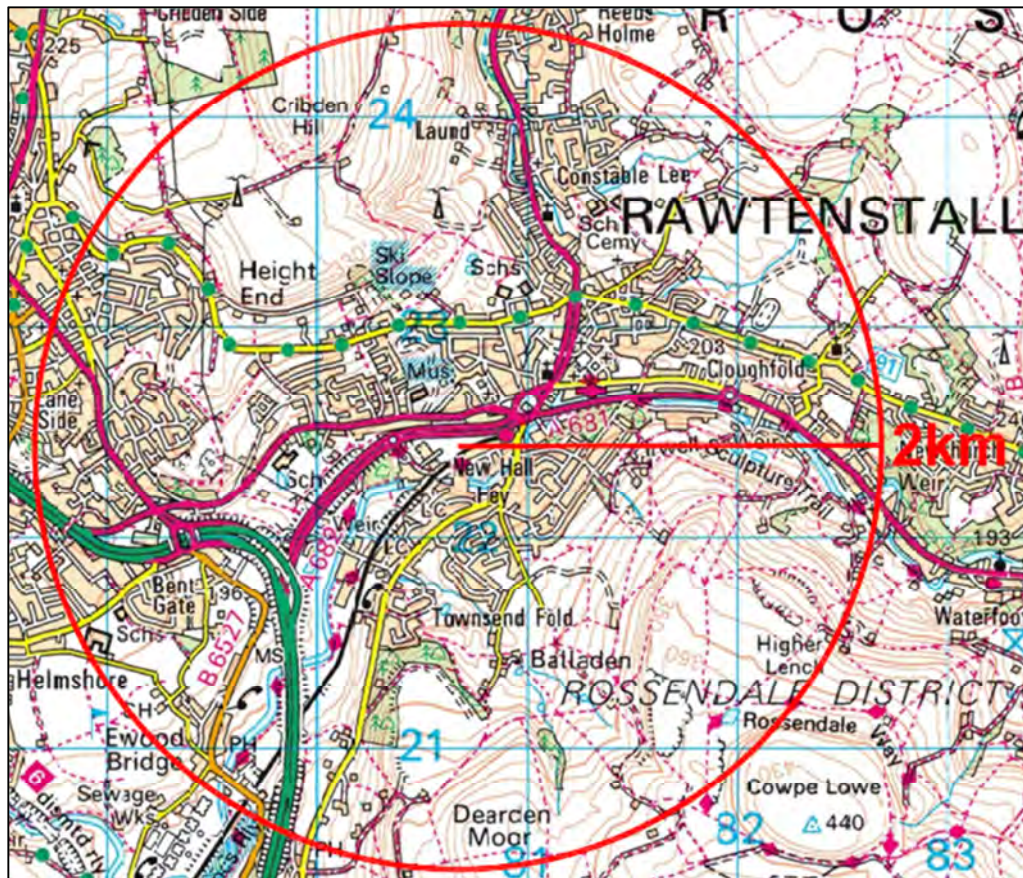


Figure 2-2: Walking Catchment – Two Kilometre Catchment

- 2.2.4 Within a two kilometre walking distance of the site a number of key facilities can be reached including the town centre, the facilities located there and a large residential catchment.
- 2.2.5 The retail park is accessed directly from the existing footways provided on either side of New Hall Hey Road and Swanney Lodge Road, which directly serves the retail park.
- 2.2.6 An existing footpath provides a pedestrian link alongside the southern boundary of the retail park, adjacent to the East Lancashire Railway line. The footpath is directly accessed from New Hall Hey Road at the existing level crossing.
- 2.2.7 Shared footway/ cycle paths are provided at the A682 gyratory providing safe and convenient access around the junction. Dedicated pedestrian crossing points are provided at the A682 gyratory and on the route into the town centre

2.3 Cycling

2.3.1 Generally, the topography of the local area is conducive to cycling. Lancashire County Council has established a network of cycle routes throughout the Borough to encourage this mode of travel.

2.3.2 **Figure 2-3** illustrates a five kilometre cycle distance from the retail park, an approximate 20 minute cycle. The plan demonstrates that the entire urban area of Rawtenstall and Haslingden can be reached within this distance by cycle, as well as a large proportion of the outlying rural areas.

2.3.3 The nearest identified cycle route to the proposed development is an on-road route located on Newchurch Road and Haslingden Old Road, to the north of the town centre. This route forms part of regional route 91 linking Rawtenstall to Blackburn and Burnley to the north and Bury and Rochdale to the south.

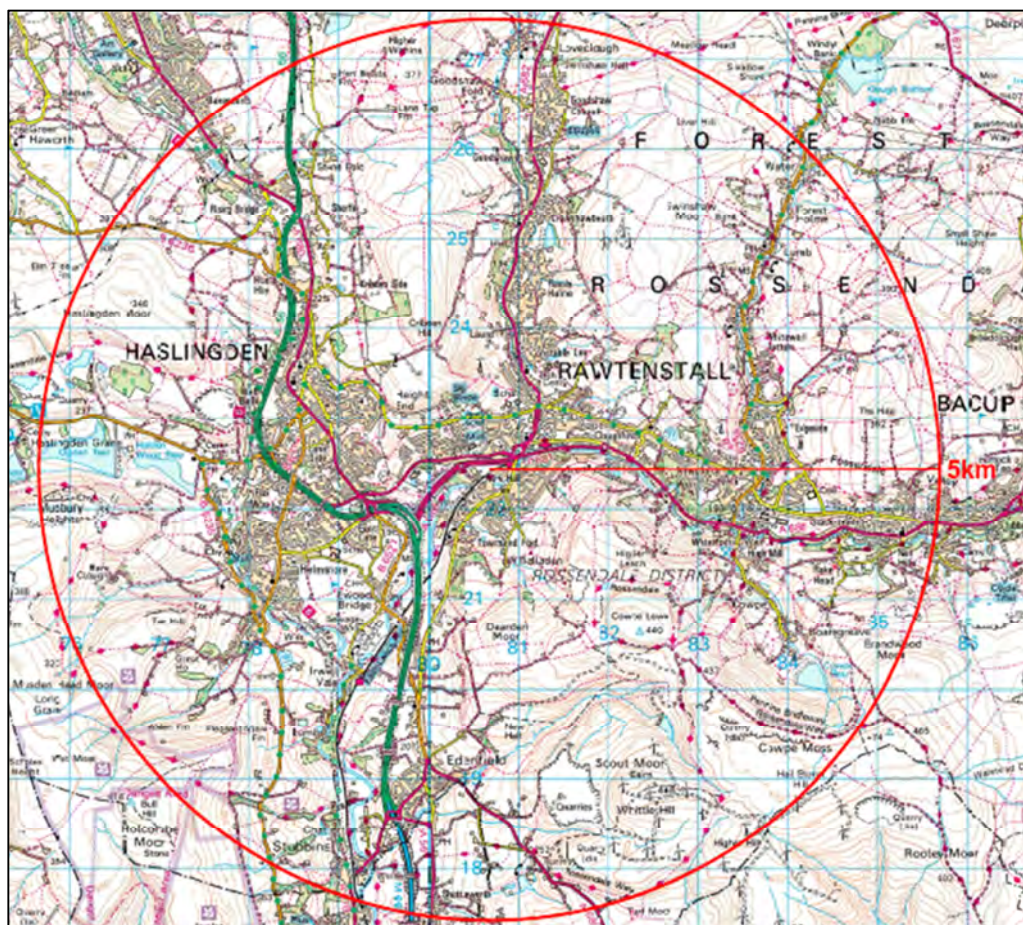


Figure 2-3: Cycle Catchment – Five Kilometres

2.3.4 A shared footway/ cycleway is present along the southern boundary of the site, adjacent to the East Lancashire Railway line. The route links into cycle routes at the A682 gyratory. Further routes have been funded from planning application 2014/0384, along the A682 towards the town centre and along a path to the north of the A682, linking with the Tesco Rossendale Haslingden Superstore. .

Public Transport

Bus Services

2.3.5 Guidance published by the Institute of Highways and Transportation ‘Planning for Public Transport in Developments’ (1999) recommends that the maximum walking distance to a bus stop should be 400 metres, equating to an approximate five minute walk.

2.3.6 The nearest bus stops to the site are located outside of this recommended walking distance, approximately 700 metres. Bus stops are located on either side of Bury Road to the north-east of the proposed site.

2.3.7 The routes and frequencies of the local bus services available from Bury Road are summarised in **Table 2-1**.

Table 2-1: Bus Services and Headways

Service	Destination	Bus Headways (minutes)		
		Mon – Fri	Saturday	Sunday
12	Rawtenstall - Hall Carr - Balladen - Rawtenstall	60	60	-
273	Bolton - Rawtenstall- Ramsbottom	Limited evening service		-
482	Bacup - Waterfoot - Rawtenstall - Bury	60	60	-
483	Rawtenstall – Endenfield - Bury	15	30	30

2.3.8 Additional bus services are accessible from Rawtenstall Bus Station. These additional services provide routes to Rochdale, Accrington, Todmorden and Blackburn. The bus station is an approximate 1.1 kilometre walking distance from the site and can be accessed via all the bus services detailed in **Table 2-1**.

2.3.9 Taking the above into consideration, the existing level of bus service provision is considered to be good for a town the size of Rawtenstall.

Rail Services

2.3.10 Rawtenstall Railway Station was formerly on the national railway network on the line to Bacup, as well as Bury and Manchester. The station was reopened in 1987 by the East Lancashire Railway and now serves as a tourist destination as opposed to a public transport service.

2.4 Summary

2.4.1 Overall it is evident that the site is accessible to pedestrians, cyclists and users of public transport. The proposed development will include measures to promote the use of such sustainable modes of transport.

2.4.2 It should also be noted that a significant financial contribution of £200,000 was made under Planning Permission 2014/0384 (extant use of the site) to enhance linkages between New Hall Hey Retail Park and the town centre. This included a contribution towards:

- The re-routing of a local bus service to New Hall Hey Retail Park;
- The installation of two bus stops on New Hall Hey Retail Park;
- Improvements to the footpath and cycle path/ facilities between New Hall Hey Retail Park and Rawtenstall Train Station; and
- Works to improve linkages between Rawtenstall Train Station and the town centre.

3.0 THE PROPOSED DEVELOPMENT

3.1 Overview

3.1.1 Unit 4 that is the subject of this planning application is located adjacent to Pets at Home and is currently vacant.

3.1.2 Subject to planning, a deal has been completed with Iceland to lease the unit and therefore permission is being sought to vary the condition on the vacant unit which prevents the sale of food.

3.2 The Approved Scheme

3.2.1 As detailed in the Introduction, Planning Permission 2014/0384, allowed the introduction of an M&S and the removal of the restrictions on the range of non-food goods that can be sold at the other units that formed Phase 1 of the retail park. Therefore Unit 4 that is the subject of this planning application has consent for 746 sqm of non-food retail.

3.3 Proposed Amendments

3.3.1 The development proposals include varying the condition on the vacant A3 unit, with a Gross External Area of 746 sqm, adjacent to Pets at Home, which prevents the sale of food from the unit

3.3.2 The site layout for the development is attached in **Appendix A**.

4.0 DEVELOPMENT TRIP ATTRACTION

4.1 Overview

4.1.1 The Transport Assessment that accompanied the most recent planning application at the retail park - Planning Permission 2016/0129, agreed the following trip rates for food and non-food retail.

Table 4-1: PA 2016/0129 Trip Rates

Peak Period	Land Use	Arrivals	Departures	Two-Way
AM Peak	Food Retail	1.253	0.799	2.052
	Non- Food Retail	0.343	0.176	0.519
PM Peak	Food Retail	3.442	4.032	7.474
	Non- Food Retail	1.504	1.597	3.101
Saturday Peak	Food Retail	5.156	5.289	10.445
	Non- Food Retail	3.085	3.483	6.568

4.1.2 The resulting trip attraction for the extant and proposed use is detailed in **Table 4-2**.

Table 4-2: Net Increase in Trip Attraction

Peak Period	Land Use	Arrivals	Departures	Two-Way
AM Peak	Proposed Food Retail	9	6	15
	Existing (PA 2014/0384): Non-Food Retail	3	1	4
	Net Increase	7	5	11
PM Peak	Proposed Food Retail	26	30	56
	Existing (PA 2014/0384): Non-Food Retail	11	12	23
	Net Increase	14	18	33
Saturday Peak	Proposed Food Retail	38	39	78
	Existing (PA 2014/0384): Non-Food Retail	23	26	49
	Net Increase	15	13	29

4.1.3 The trip attraction of the proposed development that is the subject of this planning application is anticipated to be 15 two-way trips in the Weekday AM and 56 two-way trips in the Weekday PM peak hour and 78 in the Saturday peak hour.

- 4.1.4 Compared to the extant use of the site this is an increase of 11 two-way trips during the AM peak, 33 two-way trips during the PM peak and 29 two-way trips during the Saturday peak.
- 4.1.5 Planning application 2016/0129 agreed with the local highway authority that up to 15% of trips to the food retail element could be linked to other uses on the site and that only 55% of trips would be new to the network during the Weekday peaks and 60% of trips would be new to the network during the Saturday peak.
- 4.1.6 Applying the approved New trip proportions to both the extant and proposed use of the site would result in an increase of six two-way New trips during the AM peak, 18 two-way New trips during the PM peak and 17 two-way New trips during the Saturday peak. This would be further reduced if applying the linked trip proportion.
- 4.1.7 The results of the comparison between the consented and proposed trips demonstrate that the proposed development will result in a minimal increase in trips on the local highway network.
- 4.1.8 The revised National Planning Policy Framework (NPPF, 2018) states in paragraph 109 that *'Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts would be severe'*.
- 4.1.9 It is therefore concluded that there are no overriding reasons preventing the Local Planning Authority from recognising that the proposal is acceptable with regard to the local highway network.

5.0 SUMMARY AND CONCLUSIONS

5.1 Summary

- 5.1.1 This Transport Statement has been prepared by Cameron Rose Associates on behalf of British Overseas Bank Nominee Limited and WGTC Nominees Limited, in order to examine the highway and transportation issues associated with the proposal to vary a planning condition on a vacant unit at New Hall Hey Retail Park.
- 5.1.2 The retail park is bounded to the north by the A682, to the east and south by the East Lancashire Railway and to the west by New Hall Hey Road. The site is directly served by New Hall Hey Road which is a single carriageway road, with one lane in each direction.
- 5.1.3 The unit that is the subject of this planning application is located adjacent to Pets at Home and is currently vacant. Advance negotiations are underway with a food retailer to lease the unit and therefore permission is being sought to vary the condition on the vacant unit which prevents the sale of food.
- 5.1.4 An estimate of the vehicular trip attraction of the proposed use of the site has been based on trip rates agreed for the extant use of the site (Planning Permission 2014/0384) for the Weekday AM, PM and Saturday peak hours. Travel demand has been estimated based on gross external area (GEA).
- 5.1.5 The trip attraction of the proposed development that is the subject of this planning application is anticipated to be 15 two-way trips in the Weekday AM and 56 two-way trips in the Weekday PM peak hour and 78 in the Saturday peak hour.
- 5.1.6 Compared to the extant use of the site this is an increase of 11 two-way trips during the AM peak, 33 two-way trips during the PM peak and 29 two-way trips during the Saturday peak.

- 5.1.7 Applying the approved New trip proportions to both the extant and proposed use of the site would result in an increase of six two-way New trips during the AM peak, 18 two-way New trips during the PM peak and 17 two-way New trips during the Saturday peak. This would be further reduced if apply the linked trip proportions.
- 5.1.8 The results of the comparison between the consented and proposed trips demonstrate that the proposed development will result in a minimal increase in trips on the local highway network.
- 5.1.9 The majority of car trips to the development will not be new to the network, but rather transferred or linked trips, there is likely to be an overall vehicle kilometre saving given the more convenient location of the stores to the catchment. Such a reduction in travel distance will effectively improve upstream and downstream capacity dependent on travel direction.

5.2 Conclusions

- 5.2.1 This report has demonstrated how the proposed development promotes accessibility by all modes of travel, in particular public transport, cycling and walking by virtue of its sustainable location and the physical infrastructure that would be put in place i.e. cycle parking at the front of the store, as well as the Travel Plan which would be used to influence travel behaviour.
- 5.2.2 The traffic generation of the proposed development is less than would be generated by the extant use of the site. Therefore the potential traffic impact of the development will reduce.
- 5.2.3 The impact of the proposed development would not have a severe impact on the operational performance of the local highway network, as per paragraph 109 of NPPF which states that *'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'*.
- 5.2.4 It is concluded that there are no overriding reasons preventing the Local Planning Authority from recognising that the proposal is acceptable with regard to the local highway network.



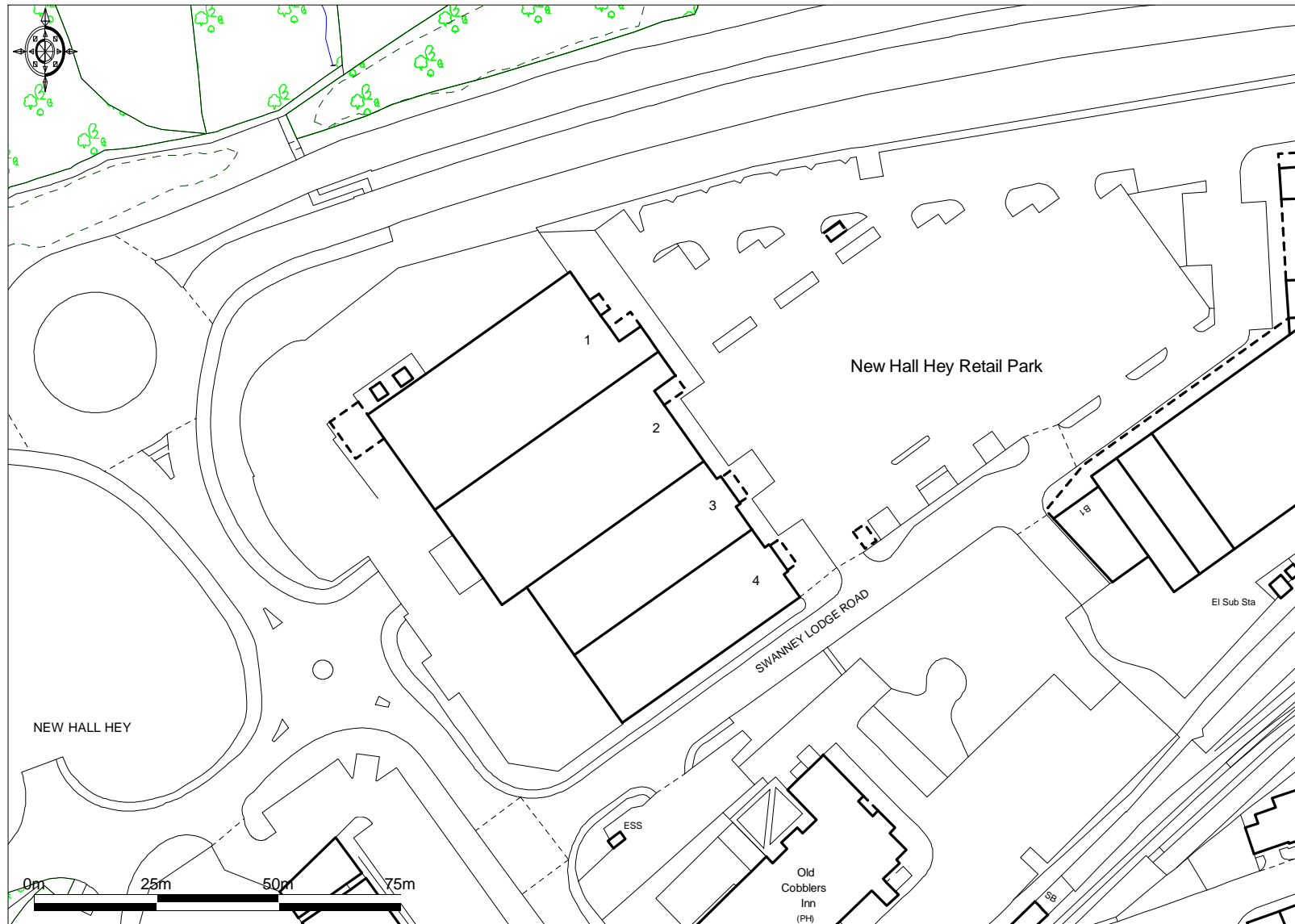
APPENDICES



APPENDIX A

SITE LAYOUT

Phase 1 New Hall Hey Retail Park, New Hall Hey Road, Rawtenstall, Lancashire BB4 6HR



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